

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

JAMES D. COOPER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 3:04-CV-288
	)	(VARLAN/SHIRLEY)
JO ANNE BARNHART, Commissioner	)	
of Social Security,	)	
	)	
Defendant.	)	

**ORDER**

This social security appeal is before the Court for consideration of Plaintiff's Objections to Magistrate's Report and Recommendation [Doc. 21]. In the Report and Recommendation [Doc. 20], United States Magistrate Judge C. Clifford Shirley, Jr., found that defendant Commissioner's decision that plaintiff was not under a disability and could perform medium work, is supported by substantial evidence in the record as a whole and should be affirmed. He recommended that plaintiff's Motion for Summary Judgment [Doc. 16] be denied and defendant Commissioner's Motion for Summary Judgment [Doc. 18] be granted.

The Court has carefully reviewed this matter, including the underlying pleadings [Docs. 17, 19, 21]. For the reasons discussed in the memorandum opinion entered contemporaneously herewith, the Court is in agreement with Magistrate Judge Shirley's recommendation. The Court hereby **OVERRULES** plaintiff's objections [Doc. 21]. The Court **ACCEPTS IN WHOLE** the Magistrate Judge's report and recommendation [Doc.

20]. Accordingly, the Court hereby **DENIES** plaintiff's Motion for Summary Judgment [Doc. 16] and **GRANTS** defendant's Motion for Summary Judgment [Doc. 18]. The clerk is **DIRECTED** to close this case.

ORDER ACCORDINGLY.

s/ Thomas A. Varlan

UNITED STATES DISTRICT JUDGE